

## **COUNCIL ACTION EXECUTIVE SUMMARY SHEET**

### **REQUESTED ACTION**

Approve the resolution to confirm the Mayor's nominations for 11 of 12 positions on the Airports Advisory Committee, which was recently re-established in conformance with City Charter Section 43(a).

### **STAFF RECOMMENDATION**

Approve the Requested Action.

### **SUMMARY**

#### **Background**

Council Policy 700-15 requires the management of the City airports to "*Involve the Airports Advisory Committee, users, citizens, and other various beneficiaries in the operation, utilization and development of the airports.*" On December 07, 2010, the City Council adopted Ordinance No.20013 to re-establish the Airports Advisory Committee in conformance with City Charter Section 43(a).

#### **Discussion**

The AAC has been a valuable asset to the Airports Division by assisting in the resolution of issues involving the communities of Kearny Mesa, Serra Mesa, Clairemont, Tierrasanta, Otay Mesa-Nestor, as well as, airport users for nearly 23 years. Despite this, the City Attorney found that this long-standing committee was never properly established as a permanent advisory board in conformance with the San Diego City Charter. As a consequence, the AAC was dissolved, until it could be re-established by City ordinance, followed by a Council Resolution to confirm the Mayor's nominations for 11 of 12 positions on this committee. Initial members shall be appointed such that the terms of not more than four such members shall expire in any year so as to allow the members' terms to be staggered. On a separate but related note, the Airports Division has been hosting community outreach meetings, during the AAC re-establishment period, in order to provide a continuing forum for the surrounding communities and the airport users.

#### **Nominations**

Each AAC nominee was chosen for one of three reasons:

- Their affiliation with and approval by a City recognized planning group of the five communities near Montgomery and Brown Fields, or
- The nominee was representative of a particular user group associated with Montgomery and Brown Fields, or,
- The nominee possessed a special expertise, related to aviation and useful to the AAC.

If, after being selected to the AAC, a member loses their affiliation with a community group, or is no longer representative of an airport user group, or no longer possesses a special aviation expertise, their AAC membership will be revoked and a new AAC nominee will be chosen by the Mayor and subsequently presented to the Council for approval.

The Mayor's nominations for 11 of 12 positions on the re-established Airport Advisory Committee are:

01. Jackie Ander, representing the Serra Mesa Community, *(Term expires February 28, 2013)*
02. Scott Hasson, representing the Tierrasanta Community, *(Term expires February 28, 2014)*
03. Kathy Monsour, represent the Clairemont Community, *(Term expires February 28, 2013)*
04. Buzz Gibbs, representing the Kearny Mesa Community, *(Term expires February 28, 2014)*
05. Lisa Golden, representing the Otay Mesa Community, *(Term expires February 28, 2013)*
06. Bob Hitchcock, representing the Brown Field aviation user group, *(Term expires February 28, 2015)*
07. Brown Field aviation lessees' representative left vacant, no nomination at this time
08. Chuck McGill, representing the Montgomery Field aviation user group, *(Term expires February 28, 2015)*
09. James Aldrich, representing the Montgomery Field aviation lessees, *(Term expires February 28, 2015)*
10. Buzz Fink, Special Expertise, *(Term expires February 28, 2014)*
11. Rich Martindell, Special Expertise, *(Term expires February 28, 2014)* and
12. Kevin O'Donnell, Special Expertise, *(Term expires February 28, 2015)*.

#### **Conclusion**

The action requested by this report is the Council approval of a resolution to confirm the Mayor's 11 nominations to serve on the permanent Airport Advisory Committee, in conformance with Charter Section 43(a).

#### **FISCAL CONSIDERATIONS**

None.

#### **PREVIOUS COUNCIL and/or COMMITTEE ACTIONS**

On January 18, 2011, the Council adopted Ordinance O-20013, which re-established the Airports Advisory Committee, as a permanent advisory committee in conformance with City Charter 43(a). The AAC re-establishment ordinance was considered, approved and forwarded to Council by the LU&H Committee on November 10, 2010. On June 26, 1995, Council revised the duties of the original Airports Advisory Committee through the Resolution No. 286014, based on Manager's Report No. 91-31. On February 8, 1995, the Committee on Natural Resources, Culture, and the Arts considered, approved and forwarded to Council, the revised duties of the original Airports Advisory Committee. On November 18, 1987, the Rules Committee approved Manager's Report No. 87-568, which established the original Airports Advisory Committee.

#### **COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS**

The Airports Division has hosted hundreds of monthly Airport Advisory Committee and community outreach meetings to discuss City airport-related issues since 1988.

#### **KEY STAKEHOLDERS AND PROJECTED IMPACTS**

The projected impact of the re-establishment of the Airports Advisory Committee would be the promotion of communication and the improvement of relations between the stakeholders and the

City, which include: the communities of Kearny Mesa, Serra Mesa, Clairemont, Tierrasanta, Otay Mesa-Nestor and the users and tenants of Montgomery and Brown Field Airports.

ORDINANCE NUMBER O- 20013 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 18 2011

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 22, TITLED "CITY OF SAN DIEGO AIRPORT ADVISORY COMMITTEE," SECTIONS 26.2201, 26.2202, 26.2203 AND 26.2204, ALL RELATING TO THE RE-ESTABLISHMENT OF THE AIRPORT ADVISORY COMMITTEE.

WHEREAS, the City of San Diego owns and operates general aviation airports known as Brown Field and Montgomery Field; and

WHEREAS, since approximately 1987, the Airport Advisory Committee has advised the City Manager on airport issues; and

WHEREAS, in a memorandum (Op. City Att'y 2010-6 (March 5, 2010)), the City Attorney advised that, if the Airport Advisory Committee was to maintain a permanent status with wide-ranging advisory functions, it would need to be re-established in conformance with Charter section 43(a); otherwise, it could be restructured as a temporary committee that conforms to the requirements of Charter section 43(b); and

WHEREAS, the City Council wishes to re-establish the Airport Advisory Committee as a permanent advisory committee; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 2, Article 6, of the San Diego Municipal Code is amended by adding Division 22 and sections 26.2201, 26.2202, 26.2203, and 26.2204 to read as follows:

**Division 22: City of San Diego Airports Advisory Committee**

**§ 26.2201 Purpose and Intent**

It is the purpose and intent of the City Council to establish the City of San Diego Airports Advisory Committee. The Airports Advisory Committee is established to provide the Mayor and City Council with advice on general aviation issues related to City owned and operated airports.

**§ 26.2202 Airports Advisory Committee Established**

- (a) There is hereby created an Airports Advisory Committee to consist of 12 members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council and shall be residents of the County of San Diego.
- (b) Members shall serve four year terms and shall serve until a successor is duly appointed and confirmed. No member shall serve more than two consecutive terms. Initial members shall be appointed such that the terms of not more than four such members shall expire in any year so as to allow the members' terms to be staggered. For the initial appointments, four members shall be appointed to an initial term that will expire February 28, 2013; four members shall be appointed to an initial term that will expire February 28, 2014; and four members shall be appointed to an initial term that will expire February 28, 2015. Members whose initial appointments are less than the full term of four years will be allowed to serve their partial term and then two full terms. The expiration date of all terms shall be February 28. Any vacancy shall be filled for the remainder of the

unexpired term. Vacancy appointment recommendations will come from the Mayor. Any vacancy replacements will be eligible to serve the remaining term of the vacant position and two full terms.

- (c) During February of each year, the members shall designate one member as Chairperson from among the members.
- (d) The Airport Advisory Committee may adopt bylaws consistent with the law for the governing of its meetings and activities.

**§26.2203 Qualification of Members**

- (a) The Airport Advisory Committee shall be comprised of persons who are both pilots and non-pilots; persons who are sensitive to the needs of the users of Montgomery and Brown Field Airports and the surrounding communities; and persons who are sensitive to the role of general aviation in the area. Specifically, the Airport Advisory Committee shall be comprised of:
  - (1) One member who represents the Serra Mesa Community;
  - (2) One member who represents the Tierrasanta Community;
  - (3) One member who represents the Clairemont Community;
  - (4) One member who represents the Kearny Mesa Community;
  - (5) One member who represents the Otay Mesa Community;
  - (6) One member who represents a Montgomery Field aviation user group;
  - (7) One member who represents a Brown Field aviation user group;

- (8) One member who represents the Montgomery Field aviation lessees;
  - (9) One member who represents the Brown Field aviation lessees; and
  - (10) Three members who have special expertise that will benefit the Committee.
- (b) No more than four members shall be lease-holders at any City-owned airport.

**§ 26.2204 Duties and Functions**

The Airport Advisory Committee shall:

- (a) Serve in an advisory capacity to the Mayor and City Council on selected issues related to airport policies and development projects at Montgomery and Brown Fields.
- (b) Provide recommendations to airport staff on selected actions that require Council approval.
- (c) Conduct public meetings to provide a forum for, and receive input on, airport-related issues.
- (d) Recommend methods of improving communications and relations between the member-represented communities, airport users and the City.
- (e) Serve as liaisons between the public, airport tenants, and the City.
- (f) Provide advice, input and support to the City's Real Estate Assets Department, Airports Division, when requested.
- (g) The Airport Advisory Committee shall have no managerial, financial or budgetary authority.

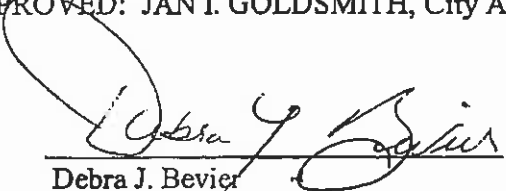
Section 2. Recognizing that it is normally the intent of the Mayor and City Council to recommend and approve appointees who are residents of the City of San Diego, the City Council has determined that, due to the unique qualifications which are required to satisfy the membership of the Airport Advisory Committee, members may be selected from throughout San Diego County.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
Debra J. Bevier  
Deputy City Attorney

DJB:mm

11/15/2010

Or.Dept:RealEstateAssets

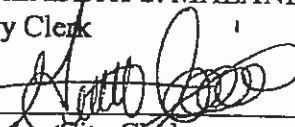
O-2011-55

PL#2010-03911



I hereby certify that the following Ordinance was passed by the Council of the City of San Diego, at its meeting of JAN 11 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 1-18-11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

RESOLUTION CONFIRMING THE APPOINTMENT  
OF MEMBERS TO THE NEWLY ESTABLISHED  
AIRPORTS ADVISORY COMMITTEE.

WHEREAS, the Airports Advisory Committee (Committee) is established in San Diego Municipal Code Chapter 2, Article 6, Division 22, to provide the Mayor and City Council with advice on general aviation issues related to City owned and operated airports; and

WHEREAS, the Municipal Code provides that the Committee shall consist of 12 voting members (Committee Members) appointed by the Mayor and confirmed by the City Council, and that the Committee shall be comprised of citizens who are both pilots and non-pilots, and persons who are sensitive to the needs of the users of each airport, the surrounding communities and to the role of general aviation in the area and to Montgomery and Brown Field Airports. The Municipal Code further provides that the Committee shall be comprised of nine members who represent indented communities, airport user groups, and lessees; and three members who have special expertise that will benefit the Committee; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the appointments by the Mayor of the following individuals who wish to serve as members of the Airport Advisory Committee, for the terms expiring as indicated, are hereby confirmed:

<u>NAME</u>	<u>TERM ENDING</u>
Name: Jackie Ander Representing: Serra Mesa Community	February 28, 2013
Name: Scott Hasson Representing: Tierrasanta Community	February 28, 2014
Name: Kathy Monsour Representing: Clairemont Community	February 28, 2013
Name: Buzz Gibbs Representing: Kearny Mesa Community	February 28, 2014
Name: Lisa Golden Representing: Otay Mesa Community	February 28, 2013
Name: Bob Hitchcock Representing: the Brown Field Aviation User Group	February 28, 2015
Name: Chuck McGill Representing: the Montgomery Field Aviation User Group	February 28, 2015
Name: James Aldrich Representing: the Montgomery Field Aviation Lessees	February 28, 2015
Name: <b>No Nomination at this Time</b> Representing: the Brown Field Aviation Lessees	
Name: Buzz Fink Member with Special Expertise	February 28, 2014
Name: Rich Martindell Member with Special Expertise	February 28, 2014
Name: Kevin O'Donnell Member with Special Expertise	February 28, 2015

BE IT FURTHER RESOLVED, if, after being confirmed to the Committee, a Committee Member loses his/her affiliation with his/her designated community group, or a Committee

Member is no longer representative of an airport user group, or a Committee Member no longer possesses the special aviation expertise that caused him/her to be confirmed as a Committee Member, the Committee Member's membership will be revoked and a new Committee nominee will be appointed by the Mayor and subsequently presented to the Council for approval.

APPROVED: JAN I. GOLDSMITH, City Attorney

By \_\_\_\_\_  
Debra J. Bevier  
Deputy City Attorney

DJB:mm  
03/02/2011  
Or.Dept: Airport  
R-2011-XXX

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

